

Council Chambers-City Council.  
City Hall City of Lodi  
Monday July 28 1930

Pursuant to adjournment taken from the regular meeting of July 21, 1930, the City Council of the City of Lodi met in adjourned regular session at 8 o'clock P.M. on the date first above written, Councilmen Keagle, Roach, Steele, Weihe and Spooner present, none absent.

In the absence of the City Clerk, Councilman Weihe was chosen Clerk pro-tem and the Council was addressed by Mr Fred G. Cary in regard to building permit No. 885 filed by Mrs Mary A. Larson for replacement of burned structure at No. 212 N. Sacramento Street. On motion of Councilman Keagle, Roach second, the permit was ordered granted.

The City Council was then resolved into Committee of the Whole to consider matters relating to the City's suits vs Pacific Gas & Electric Company and East Bay Municipal Utility District as affecting the percolating waters supplying the City.

Messrs. Thos. H. Means, B. A. Etcheverry and Paul Bailly, Consulting Engineers employed heretofore by the City, rendered a report by letter stating that they were ready to proceed and on motion of Councilman Steele, Keagle second, that the City go ahead at once and have the suits set for trial. Resolution No. 617 was formally adopted by the following vote :-

AYES: Councilmen, Steele, Keagle, Roach, Weihe and Spooner.  
NOES: Councilmen, None.  
ABSENT: Councilmen, None.

#### RESOLUTION No. 617.

WHEREAS, at an adjourned regular meeting of the City Council of the City of Lodi, San Joaquin County, California, held on the 28th day of July, 1930 at the hour of 8 o'clock in the afternoon of said day, the report of B.A. Etcheverry, Thomas H. Means and Paul Bailey, engineers heretofore employed by said City, regarding underground water conditions underlying said City and upon and from which supply the said City is dependent for its municipal, domestic and industrial existence, was duly and regularly filed, from which it appears that the said underground waters are replenished and maintained through percolation of the natural and recurring flows of the Mokelumne River, and any change in quantity of flow or rate of flow will reduce such percolation and reduce the underground flow which furnishes the city's water supply;

AND WHEREAS, said City of Lodi has heretofore commenced an action in the Superior Court of the State of California in and for the County of San Joaquin, against East Bay Municipal Utility District, Pacific Gas & Electric Company and others, which action is numbered 22,415, which action has been commenced and is being prosecuted for the purpose of obtaining the judgement of said court restraining the defendants therein named from disturbing and jeopardizing the water supply of said city by interfering with, storing or diverting the otherwise natural, necessary and recurring stream flow of the said river ;

NOW THEREFORE, BE IT RESOLVED, That Robert M. Searls and Glenn West, attorneys representing said city in said action, be and they are hereby authorized and directed to at once cause said action to be set for trial and tried and to obtain and present to said court the evidence which in their judgement may be necessary for the purpose of properly presenting said city's case to said court in said action.

BE IT FURTHER RESOLVED, That said Engineers be and they are hereby authorized and directed to promptly complete said report and the necessary studies, maps, profiles, exhibits and evidence as mentioned in and contemplated by the report hereinabove referred to.

No further business appearing, the City Council adjourned to the day and hour of their next regular meeting.

Clerk of the City Council, pro-tem.